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OFFICIAL**EXPEDITED EXAMINING PROCEDURE**

PATENT

Docket No. 6137.P US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ford et al.)	Group Art Unit:	1636
)		
Serial No.: 09/600,392)	Examiner:	Gerald G. Leffers, Jr.
Confirmation No.: 4850)		
)		
Filed: September 8, 2000)		
)		
For: AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE ANTIMICROBIAL TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENT			

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
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- Request for Continued Examination (RCE) - (1 pg).
- Amendment and Response Under 37 C.F.R. §1.116 (9 pgs).
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Mueting, Raasch & Gebhardt, P.A.
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By: Ann M Mueting
 Ann M. Mueting
 Reg. No. 33,977
 Direct Dial (612)305-1217

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July 28, 2004
 Date

Signature: Sam Her

Name: SAM HER

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PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/600,392
Filing Date	September 8, 2000
First Named Inventor	Charles W. FORD
Art Unit	1636
Examiner Name	Gerald G. Leffers, Jr.
Attorney Docket Number	6137.P US (268.61370120)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
ii. Other _____

b. Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s)	iv. <input type="checkbox"/> Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to
a. Deposit Account No. 13-4895

i. RCE fee required under 37 CFR 1.17(e)
ii. Extension of time fee (37 CFR 1.136 and 1.17)
iii. Other _____

b. Check in the amount of \$ _____ enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Ann M. Mueting	Registration No. (Attorney/Agent)	33,977
Signature		Date	JULY 28, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Sam Her	Date	JULY 28, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No.: 09/600,392) Examiner: Gerald G. Leffers, Jr.

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Filed: September 8, 2000)

For: AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE ANTIMICROBIAL TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENTAMENDMENT AND RESPONSE
UNDER 37 CFR §1.116

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed January 29, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on the page entitled "Amendments to the Claims."

Remarks begin on the page entitled "Remarks."